

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 25, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

AUDREE LEANNA PEDERSON
(1),

Defendant.

NO: 2:20-CR-179-RMP-1

STIPULATED PROTECTIVE
ORDER REGARDING COMPUTER
FORENSIC REVIEW
PROCEDURES FOR CHILD
PORNOGRAPHY CONTRABAND

BEFORE THE COURT is the parties' Stipulation for a Protective Order Regarding Computer Forensic Review Procedures for Child Pornography Contraband, ECF No. 25. The Court has reviewed the Stipulation, the record, and is fully informed. The Court finds good cause has been shown.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Stipulation for a Protective Order Regarding Computer Forensic Review Procedures for Child Pornography Contraband filed by the parties, **ECF No. 25, is GRANTED.**

STIPULATED PROTECTIVE ORDER REGARDING COMPUTER FORENSIC
REVIEW PROCEDURES FOR CHILD PORNOGRAPHY CONTRABAND ~ 1

1 2. IT IS FURTHER ORDERED that 18 U.S.C. § 3509(m) applies to this
2 case, and the Court is required to deny defense requests to copy, photograph,
3 duplicate, or otherwise reproduce material constituting child pornography if the
4 government makes the material reasonably available to Defendant and provides an
5 ample opportunity for the defense to examine it at a government facility. *See* 18
6 U.S.C. § 3509(m).

7 3. IT IS FURTHER ORDERED that, in order to comply with 18 U.S.C. §
8 3509(m), and to allow Defendant the greatest opportunity to prepare an effective
9 defense in preparation for trial in this matter, the government will make a true
10 forensic, bit-by-bit E01 image of devices and media containing alleged child
11 pornography contraband at issue in the above-referenced case. The government will
12 make that forensic image reasonably available to Defendant and provide ample
13 opportunity for the defense team to examine it at a government facility in Spokane,
14 Washington. The parties may readdress the Court if there is a need for additional or
15 after-hours access during the course of litigation in the event trial or motion hearings
16 require additional forensic review.

17 4. IT IS FURTHER ORDERED that the defense forensic examination will
18 be conducted in an interview room monitored by closed-circuit television (“CC-
19 TV”), without audio feed. While the TV with non-audio feed will ensure the
20 integrity of FBI space and security of its occupants, the video feed is not of sufficient
21 detail or at an angle that would reveal defense strategy. The government and its

1 agents expressly agree that no attempt will be made to record any audio from the
2 workstation and that no attempt will be made to observe the defense team's work
3 product or computer monitor screen at any time. The defense expert may review the
4 feed to ensure that defense strategy is not being compromised at any time while
5 conducting the forensic review.

6 5. IT IS FURTHER ORDERED that the defense team¹ shall not make, nor
7 permit to be made, any copies of the alleged child pornography contraband pursuant
8 to this Protective Order and shall not remove any contraband images from the
9 government facility. The defense expert will be allowed to copy any file that is not
10 contraband and compile a report (without contraband images/videos) documenting
11 the examination on removable media at the discretion of the defense expert.

12 6. IT IS FURTHER ORDERED that the designated defense expert will
13 leave at the government facility any equipment, including hard drives, which contain
14 child pornography contraband that is identified during forensic evaluation. The
15 parties may readdress this matter with the Court upon notice that the defense intends
16 to retain a different defense expert.

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¹ For purposes of this Protective Order, the term "defense team" refers solely to
20 Defendant's counsel of record ("defense counsel"), Defendant's designated expert
21 ("defense expert"), and a defense investigator.

